

## Declaration and Power of Attorney for Patent Application

特許出願宣言書兼委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下のとおり宣  
言します。

私の住所、私郵箱、国籍は下記の私の氏名の後に  
記載したとおりです。

下記の名称の発明に関して請求範囲に記載され、  
特許出願している発明内容について、私が最初かつ  
唯一の発明者（下記氏名が一つの場合）もしくは最  
初かつ共同発明者であると（下記の名称が複数の場  
合）と信じています。

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship  
are as stated below next to my name.

I believe I am the original, first and sole inventor  
(if only one name is listed below) or an original,  
first and joint inventor (if plural names are listed  
below) of the subject matter which is claimed and  
for which a patent is sought on the invention  
entitled:

NAIL GUN WITH SAFETY PORTIONMECHANISM FOR PREVENTING MISFIRES

上記発明の明細書（下記の欄でX印がついていない  
場合は、本書に添付）は、

（ ）月\_\_\_\_日に提出され、米国出願番号または  
は特許協定条約  
国際出願番号を\_\_\_\_\_とし、  
(改訂する場合) \_\_\_\_\_年\_\_\_\_月\_\_\_\_日に訂  
正されました。

私は、特許請求範囲を含む上記訂正後の明細書を  
検討し、内容を理解していることをここに表明しま  
す。

私は、連邦規則法典第37章第1条第56項に定義さ  
れるとおり、特許資格の有無について重要な情報を  
開示する義務があることを認めます。

the specification of which is attached hereto unless  
the following box is checked:

（ ） was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand  
the contents of the above identified specification,  
including the claims, as amended by any amendment  
referred to above.

I acknowledge the duty to disclose information  
which is material to patentability as defined in Title  
37, Code of Federal Regulations, Section 1.56.

私は、米国法典第35章第119条(a)-(d)項又は第365条(b)項に基づき下記の、米国以外の少なくとも一ヶ国を指定している特許協力条約第365条(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権利益をここに主張するとともに、優先権を主張している本出願前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

I hereby claim foreign priority under Title 35, United States Code §119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior foreign applications  
外国での先行出願

(Number/番号)	Japan (Country/国名)	23/May/2000 (Day/Month/Year Filed/出願年月日)	( )
(Number/番号)	(Country/国名)	(Day/Month/Year Filed/出願年月日)	( )
(Number/番号)	(Country/国名)	(Day/Month/Year Filed/出願年月日)	( )

私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

I hereby claim the benefit under Title 35, United States code, Section 119(e) of any United States provisional application(s) listed below

(Application Serial No./出願番号) (Filing Date/出願日)  
私は、米国法典第35章第120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約第365条(c)に基づく権利をここに主張します。又、本出願の各請求範囲の内容が米国法典第35章第112条第1項又は特許協力条約で規定された方法で先行する米国出願に開示されていない限り、その先行米国出願提出日以降で本出願の日本国内又は特許協力条約国際出願提出日までの期間中に入手された、連邦規則法典第37章第1条第56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application Serial No./出願番号) (Filing Date/出願日)

I hereby claim the benefit under Title 35, United States Code Section 120 of any United States application(s) or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose any material information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No./出願番号)	(Filing Date/出願日)
(Application Serial No./出願番号)	(Filing Date/出願日)

(Status: Patented, Pending, abandoned/発明権登録済、登録中、放棄)

(Status: Patented, Pending, abandoned/発明権登録済、登録中、放棄)

私は、私自身の知識に基づいて本宣言中で私が行う表明が真実であり、かつ私の入手した情報とわたしの信ずるところに基づく表明がすべて真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18章第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又はすでに許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## Japanese Language Declaration

(日本語宣誓書)

委任状：私は下記の発明者として、本出願に関する一切の手続を米国特許商業局に対して遂行する弁理士又は代理人として、下記のものを指名いたします。  
 (弁理士、又は代理人の氏名および登録番号を明記のこと)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

John H. Mion, Reg. No. 18,879; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Scas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olcxy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; Brian W. Hannon, Reg. No. 32,778; Abraham J. Rosner, Reg. No. 33,276; Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102 and Brett S. Sylvester, Reg. No. 32,765.

専類送付先:

Send Correspondence To:

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202

直通電話送付先(名称及び電話番号):

Direct Telephone Calls To: (name and telephone number)

(202)293-7060

唯一または第一発明者名 Yoshitaka AKIBA	Full name of sole or first inventor		
発明者の名前 <i>Yoshitaka Akiba</i>	日付	Inventor's signature	Date May 16, 2001
住所 Hitachinaka-shi, Ibaraki-ken, Japan	Residence		
国籍 Japanese	Citizenship		
郵便の宛先 c/o Hitachi Koki Co., Ltd. No. 1060, Takeda,	Post Office Address		
第二共同発明名(該当する場合)	Full name of second joint inventor, if any		
第二発明者の名前	日付	Second inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post Office Address		

(第三以降の共同発明者についても同様に記載し、署名をすること。) (Supply similar information and signature for third and subsequent joint inventors.)

For Non-U.S. Clients

# Assignment

Whereas, I/We

Yoshitaka AKIBA  
of Hitachinaka-shi, Ibaraki-ken, Japan

hereinafter called assignor(s), have invented certain improvements in  
NAIL GUN WITH SAFETY PORTION MECHANISM FOR PREVENTING MISFIRES

and executed an application for Letters Patent of the United States of America therefor on

May 16, 2001 ;and

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Whereas, HITACHI KOKI CO., LTD.

15-1, Konan 2-chome, Minato-ku, Tokyo 108-6020 Japan

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

I/We, the above named assignor(s), hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. § 119, and I/we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and I/we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

I/We hereby authorize and request my attorneys SUGHRUE, MION, ZINN, MACPEAK & SEAS of 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202 to insert here in parentheses (Application number. \_\_\_\_\_ filed \_\_\_\_\_) the filing date and application number of said application when known.

Date: May 16, 2001 s/ Yoshitaka Akiba  
Yoshitaka AKIBA

Date: s/ \_\_\_\_\_

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. § 261)  
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